IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

THURSDAY, THE 29TH NOVEMBER 2007 / 8TH AGRAHAYANA 1929

CRP.No. 617 of 2007(C)

LAR.223/1997 OF PRL.SUB COURT,KOTTAYAM
.....

REVISION PETITIONER /JUDGMENT DEBTOR:

STATE OF KERALA, REP. BY THE
DISTRICT COLLECTOR, KOTTAYAM.

BY GOVERNMENT PLEADER SMT. R. BINDU.

RESPONDENTS/ DECREE HOLDERS:
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1. **K.N.RAVI, PRESENT PRESIDENT,**
   K.764, DIST. CO-OP. HOSPITAL, KAPPUMTHALA,
   MUTTUCHIRA, VAIKOM.

2. **TOMY JOSEPH,**
   SECRETARY, K.764, DIST. CO-OP. HOSPITAL,
   KAPPUMTHALA, MUTTUCHIRA, VAIKOM.

R2. BY ADV. RAJEEV. V. KURUP.

THIS CIVIL REVISION PETITION HAVING BEEN FINALLY HEARD ON 29/11/2007,THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

M.N. KRISHNAN, J.

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C.R.P. NO. 617 OF 2007

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Dated this the 29th day of November, 2007.

O R D E R

This revision petition is preferred against the one sentence order of the Sub Judge, Kottayam whereby he has fixed the balance amount as Rs.52,633/-. The learned Government Pleader would submit that the decree holder is not entitled to that amount at all and there is excess payment. In the light of the non-speaking order this Court is not able to understand how the Court has arrived at such a figure. Therefore it has become inevitable for this Court to set aside that order and direct the Court below to consider the matter afresh. Hence, I direct both the decree holder as well as the judgment debtor to file separate statements and direct the Court to consider them and pass appropriate

orders, that too a speaking order, taking into consideration all contentions raised by the parties. Parties are directed to appear before the Court below on 10.1.2008.

The C.R.P. is disposed of accordingly.

M.N. KRISHNAN, JUDGE.

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